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2                   UNITED STATES DISTRICT COURT  
3                   WESTERN DISTRICT OF WASHINGTON  
4                   AT SEATTLE

5                   UNITED STATES OF AMERICA,         )  
6                                  Plaintiff,                 )  
7                                  v.                             )  
8                           WILLIAM BALLINGER,             )  
9                                  Defendant.                 )  
10   )

CASE NO. MJ07-540

DETENTION ORDER

Offense charged:

Counts 1-3: Felon in Possession in a Firearm, in violation of Title 19, U.S.C., Section 922(g)(1).

Date of Detention Hearing: December 3, 2007

The Court, having conducted an uncontested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Tessa Gorman. The defendant was represented by Barry Flegenheimer.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant is viewed as a risk of danger due to Defendant's criminal history and the nature of the instant offense.
- (2) The defendant has a history of failing to appear, and a history of failing to report to the U.S. Probation Office.
- (3) He does not contest to detention at this time.

DETENTION ORDER

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**It is therefore ORDERED:**

- (l) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences, or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the correctional facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 3<sup>rd</sup> day of December, 2007.

  
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**MONICA J. BENTON**  
United States Magistrate Judge